

IN THE UNITED STATES OF AMERICA

PATENT AND TRADEMARK OFFICE

APPLICANT: Broshears

TITLE: TRACH SENSORY ALERT SYSTEM

ATTORNEY DOCKET NO.: 00-08377

COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TRACH SENSORY ALERT SYSTEM, the specification of which☒ [X] is attached hereto☐ [] was filed on _____ as Serial No. _____ or Express Mail No. _____, and was amended on _____ (if applicable).☐ [] was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 10 on _____ (if any).☒ [X] I hereby claim the benefit under Title 35, United States Code § 119 (e) of any United States Provisional Application(s) listed below.Application Number 60/242,993Filing Date October 23, 2000

I hereby state that I have reviewed and understand the contents

of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

[] In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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DECLARATION: I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: Loretta S. Broshears

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COUNTRY OF CITIZENSHIP: U.S.A.

DATE: Oct 18, 2001

SIGNATURE: Loretta S. Broshears

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COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) AND 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (C) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled TRACH SENSORY ALERT SYSTEM described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ [X] no such person, concern, or organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Loretta S. Broshears

NAME OF INVENTOR

Loretta S. Broshears
SIGNATURE OF INVENTOR

Oct 18, 2001
DATE